Appln. No.: 09/901,103
Amendment dated December 30, 2005
Reply to Office Action of September 30, 2005

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

What is claimed is:

1.   (Cancelled).

2.   (Cancelled).

3.   (Cancelled).

4.   (Cancelled).

5.   (Cancelled).

6.   (Cancelled).

7.   (Cancelled).

8.   (Cancelled).

9.   (Cancelled).

10.   (Cancelled).

11.   (Currently Amended) <u>In a telecommunication network having a plurality of interconnected switches, a method of adjusting a contracted rate of traffic for a virtual circuit comprising the steps of:</u>
<u>a) obtaining statistical data for the plurality of interconnected switches;</u>
<u>b) identifying for each of the plurality of interconnected switches, virtual circuits that make excessive use of the network; and</u>

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c) adjusting the contracted rate of traffic to form a modified contracted rate of t affic; |

~~The method of claim 1,~~ wherein step b) ~~further comprises~~includes the steps of:

~~a~~d) counting the number of data points i, in n samples that exceed a threshold value R_1; and

~~e~~b) if the number of i data points divided by the total number of sample i is greater than or equal to R_2, then adjusting the CIR.

12.   (Original) The method of claim 11, wherein R_1 is a value of approximately 25 percent.

13.   (Original) The method of claim 11, wherein R_1 is a value of at least 18 percent.

14.   (Original) The method of claim 11, wherein R_2 is a value of approximately 20 percent.

15.   (Original) The method of claim 11, wherein R_2 is a value of at least 10 percent.

16.   (Cancelled).

17.   (Cancelled).

18.   (Cancelled).

19.   (Cancelled).

20.   (Cancelled).

21.   (Cancelled).

22.   (Cancelled).

23.   (Cancelled).

24.   (Cancelled).

25.   (Currently Amended) A computer-readable medium having computer-executable instructions for performing steps comprising:

a) obtaining statistical data for a plurality of interconnected network switches;

b) identifying for each of the plurality of interconnected switches, virtual c rcuits that make excessive use of the network; and

c) adjusting the contracted rate of traffic to form a modified contracted rate of t affic.

The computer-readable medium of claim 18, wherein step b) further compris(s the steps of:

da) counting the number of data points i, in n samples that exceed . threshold value R_1; and

eb) if the number of i data points divided by the total number of sample s is greater than or equal to R_2, then adjusting the CIR.

26.   (Original) The computer-readable medium of claim 25, wherein R_1 is a value of approximately 25 percent.

27.   (Original) The computer-readable medium of claim 25, wherein R_1 is a value of at least 18 percent.

28.   (Original) The computer-readable medium of claim 25, wherein R_2 is a value of approximately 20 percent.

29.   (Original) The computer-readable medium of claim 25, wherein R_2 is a value of at least 10 percent.

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    30.   (Cancelled).

    31.   (Cancelled).